

ORIGINAL

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

- - - - - X
:

UNITED STATES OF AMERICA :

SEALED
INDICTMENT

- v. - :

17 Cr. ____ (____)

ROBERT DIAZ,
a/k/a "Facey,"
a/k/a "Face," :

17 CRIM 339

RENE SANCHEZ,
a/k/a "Renny," :

PABLO PEREZ,
a/k/a "Menor," :

CHRISTIAN CARDENAS,
a/k/a "Chris,"
a/k/a "Spoonie," :

DAVID ALMONTE,
a/k/a "Elli," :

RONALD BOLANOS,
a/k/a "Ronny,"
a/k/a "ET," :

ROLANDO PAULINO,
a/k/a "Santana Paulino," :

THERESA KEEFE,
a/k/a "Terry," and :

NICOLE MUNDERVILLE,
a/k/a "Nicki," :

Defendants. :

- - - - - X

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 5/31/17

JUDGE NATHAN

COUNT ONE

The Grand Jury charges:

Overview of the Conspiracy

1. From at least in or about 2012, up to and including in or about May 2017, in the Southern District of New York and elsewhere, ROBERT DIAZ, a/k/a "Facey," a/k/a "Face," RENE SANCHEZ, a/k/a "Renny," PABLO PEREZ, a/k/a "Menor," CHRISTIAN CARDENAS, a/k/a "Chris," a/k/a "Spoonie," DAVID ALMONTE, a/k/a "Elli," RONALD BOLANOS, a/k/a "Ronny," a/k/a "ET," ROLANDO PAULINO, a/k/a "Santana Paulino," THERESA KEEFE, a/k/a "Terry," and NICOLE MUNDERVILLE, a/k/a "Nicki," the defendants (collectively, the "Defendants"), and others known and unknown, conspired to distribute significant amounts of narcotics, including heroin, cocaine, crack cocaine, and fentanyl, in and around Rockland County, New York, among other places.

2. The Defendants and others working with them operated a drug trafficking organization (the "Rockland DTO") that distributed narcotics on a daily basis, and obtained narcotics for resale from the Bronx, Brooklyn, and Queens, New York, among other places.

3. The Rockland DTO sold narcotics in locations around Rockland County including, for example, in parking lots,

outside supermarkets, in and around residents' homes, and in public places.

Roles Within the Conspiracy

4. The Defendants played different roles within the Rockland DTO. For example, certain Defendants regularly sold narcotics to retail customers; other Defendants obtained wholesale supplies of drugs that they distributed to other members of the Rockland DTO.

5. ROLANDO PAULINO, a/k/a "Santana Paulino," the defendant, supplied CHRISTIAN CARDENAS, a/k/a "Chris," a/k/a "Spoonie," the defendant, with cocaine and heroin for distribution.

6. CHRISTIAN CARDENAS, a/k/a "Chris," a/k/a "Spoonie," and DAVID ALMONTE, a/k/a "Elli," the defendants, supplied ROBERT DIAZ, a/k/a "Facey," a/k/a "Face," the defendant, with cocaine and heroin for distribution.

7. PABLO PEREZ, a/k/a "Menor," the defendant, supplied ROBERT DIAZ, a/k/a "Facey," a/k/a "Face," and RENE SANCHEZ, a/k/a "Renny," the defendants, with heroin for distribution.

8. RONALD BOLANOS, a/k/a "Ronny," a/k/a "ET," the defendant, supplied ROBERT DIAZ, a/k/a "Facey," a/k/a "Face," the defendant, with crack cocaine for distribution.

9. ROBERT DIAZ, a/k/a "Facey," a/k/a "Face," the defendant, supervised other members of the Rockland DTO, including THERESA KEEFE, a/k/a "Terry," and NICOLE MUNDERVILLE, a/k/a "Nicki," in coordinating the sale and distribution of narcotics to drug customers in and around Rockland County.

Awareness of Potency and Overdoses

10. Some members of the Rockland DTO were aware that the narcotics they were distributing were particularly strong and had been mixed with fentanyl.

11. In particular, from in or about December 2016, up to and including in or about May 2017, ROBERT DIAZ, a/k/a "Facey," a/k/a "Face," the defendant, indicated to other Defendants, including CHRISTIAN CARDENAS, a/k/a "Chris," a/k/a "Spoonie," PABLO PEREZ, a/k/a "Menor," THERESA KEEFE, a/k/a "Terry," and NICOLE MUNDERVILLE, a/k/a "Nicki," the defendants, in substance and in part, that the narcotics he, KEEFE, and MUNDERVILLE were selling, and that CARDENAS was supplying, contained fentanyl and were particularly dangerous. For example:

a. On or about December 15, 2016, DIAZ distributed heroin that caused a particular individual ("Victim-1") in Queens, New York, to overdose, requiring the administration of naloxone to Victim-1.

b. On or about January 5, 2017, DIAZ told CARDENAS, in substance and in part, that narcotics they were selling, and that CARDENAS was supplying, contained fentanyl. DIAZ stated, in substance and in part, that they had to be "careful cause . . . that shit will kill you. . . . [T]hree people fell out over here."

c. On or about January 5, 2017, DIAZ told KEEFE and MUNDERVILLE, in substance and in part, that the narcotics they were selling, understood by customers to be "China White" or heroin, contained fentanyl.

d. On or about January 7, 2017, DIAZ discussed with PEREZ the narcotics that DIAZ had given to Victim-1. DIAZ told PEREZ, in substance and in part that Victim-1 "OD-ed. . . . They had to kick the door. He had to kick the door and save the guy's life."

e. On or about March 18, 2017, DIAZ told BOLANOS, in substance and in part, that a drug customer "don't know it's fentanyl," but he had to tell her because "someone fell out yesterday." DIAZ added, in substance and in part, that "you gotta watch it with that shit, but people like it cause it's strong."

f. On or about March 20, 2017, DIAZ laughed while discussing the "fentanyl [] dance." DIAZ told PEREZ, in

substance and in part, that he had a "new connect" for "straight up fentanyl" and that customers "love it."

STATUTORY ALLEGATIONS

12. From at least in or about 2012, up to and including in or about May 2017, in the Southern District of New York and elsewhere, ROBERT DIAZ, a/k/a "Facey," a/k/a "Face," RENE SANCHEZ, a/k/a "Renny," PABLO PEREZ, a/k/a "Menor," CHRISTIAN CARDENAS, a/k/a "Chris," a/k/a "Spoonie," DAVID ALMONTE, a/k/a "Elli," RONALD BOLANOS, a/k/a "Ronny," a/k/a "ET," ROLANDO PAULINO, a/k/a "Santana Paulino," THERESA KEEFE, a/k/a "Terry," and NICOLE MUNDERVILLE, a/k/a "Nicki," the defendants, and others known and unknown, intentionally and knowingly did combine, conspire, confederate and agree, together and with each other, to violate the narcotics laws of the United States.

13. It was a part and an object of the conspiracy that ROBERT DIAZ, a/k/a "Facey," a/k/a "Face," RENE SANCHEZ, a/k/a "Renny," PABLO PEREZ, a/k/a "Menor," CHRISTIAN CARDENAS, a/k/a "Chris," a/k/a "Spoonie," DAVID ALMONTE, a/k/a "Elli," RONALD BOLANOS, a/k/a "Ronny," a/k/a "ET," ROLANDO PAULINO, a/k/a "Santana Paulino," THERESA KEEFE, a/k/a "Terry," and NICOLE MUNDERVILLE, a/k/a "Nicki," the defendants, and others known and unknown, would and did distribute and possess with the

intent to distribute controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

14. The controlled substances that ROBERT DIAZ, a/k/a "Facey," a/k/a "Face," the defendant, conspired to distribute and possess with the intent to distribute were (i) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A); (ii) 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as "crack cocaine," in violation of Title 21, United States Code, Section 841(b)(1)(A); (iii) 40 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(B); and (iv) 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(B). The use of heroin distributed by DIAZ resulted in serious bodily injury to Victim-1 on or about December 15, 2016 in Queens, New York.

15. The controlled substances that RENE SANCHEZ, a/k/a "Renny," CHRISTIAN CARDENAS, a/k/a "Chris," a/k/a "Spoonie," DAVID ALMONTE, a/k/a "Elli," THERESA KEEFE, a/k/a "Terry," and NICOLE MUNDERVILLE, a/k/a "Nicki," the defendants, conspired to distribute and possess with the intent to

distribute were (i) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A); (ii) 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(B); and (iii) 40 grams and more of mixtures and substances containing a detectable amount of fentanyl, in violation of Title 21, United States Code, Section 841(b)(1)(B).

16. The controlled substances that ROLANDO PAULINO, a/k/a "Santana Paulino," and PABLO PEREZ, a/k/a "Menor," the defendants, conspired to distribute and possess with the intent to distribute were (i) one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Title 21, United States Code, Section 841(b)(1)(A); and (ii) 500 grams and more of mixtures and substances containing a detectable amount of cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(B).

17. The controlled substance that RONALD BOLANOS, a/k/a "Ronny," a/k/a "ET," the defendant, conspired to distribute and possess with the intent to distribute was 280 grams and more of mixtures and substances containing a detectable amount of cocaine base, in a form commonly known as

"crack cocaine," in violation of Title 21, United States code, Section 841(b) (1) (A) .

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATIONS

18. As a result of committing the controlled substance offense alleged in Count One of this Indictment, ROBERT DIAZ, a/k/a "Facey," a/k/a "Face," RENE SANCHEZ, a/k/a "Renny," PABLO PEREZ, a/k/a "Menor," CHRISTIAN CARDENAS, a/k/a "Chris," a/k/a "Spoonie," DAVID ALMONTE, a/k/a "Elli," RONALD BOLANOS, a/k/a "Ronny," a/k/a "ET," ROLANDO PAULINO, a/k/a "Santana Paulino," THERESA KEEFE, a/k/a "Terry," and NICOLE MUNDERVILLE, a/k/a "Nicki," the defendants, shall forfeit to the United States, pursuant to Title 21, United States Code, Section 853, any and all property constituting and derived from any proceeds the defendants obtained directly or indirectly as a result of the offense and any and all property used or intended to be used in any manner or part to commit and to facilitate the commission of the offense.

SUBSTITUTE ASSET PROVISION

19. If any of the above described forfeitable property, as a result of any act or omission of the Defendants:

(a) cannot be located upon the exercise of due diligence;

(b) has been transferred or sold to, or deposited with, a third person;

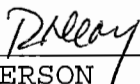
(c) has been placed beyond the jurisdiction of the Court;

(d) has been substantially diminished in value;
or

(e) has been commingled with other property which cannot be subdivided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the above forfeitable property.

(Title 21, United States Code, Section 853.)



FOREPERSON



JOON H. KIM
Acting United States Attorney

5/31/17 Pld Sealed Ind. A/W order
May Judge Moore